



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street, 3rd floor
New York, New York 10007*

March 11, 2021

BY ECF

The Honorable Paul A. Engelmayer
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *ACLU et al. v. DOD et al.*, No. 17 Civ. 3391 (PAE)

Dear Judge Engelmayer:

This Office represents the defendant agencies (“Defendants”) in the above-captioned lawsuit brought pursuant to the Freedom of Information Act (“FOIA”). We write respectfully on behalf of the parties to provide a joint status report pursuant to the Court’s Order dated February 8, 2021 (ECF No. 145).

As the parties have previously reported to the Court, the defendant agencies have been reviewing, analyzing, and conferring with the undersigned about the fee schedule and proposed demand provided by Plaintiffs. Due to the complexity of the procedural history in this case, and therefore of the agencies’ resulting fees analyses, defendants have not yet been able to present a consolidated response to Plaintiffs, and require additional time to do so. For that reason, the parties jointly request that the Court grant them additional time in which to continue their negotiations and respectfully propose that the Court enter an order instructing the parties to file a further joint status update by April 16, 2021.

We thank the Court for its consideration of this matter.

Respectfully,

AUDREY STRAUSS
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Southern District of New York
Attorney for Defendants

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